

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

STRALIA MARITIME S.A., et al.,

Plaintiffs,

v.

CASE NO. 1:18cv4150-RH

PRAXIS ENERGY AGENTS DMCC,

Defendant.

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**ORDER DEFAULTING THE DEFENDANT, ALLOWING  
THE DEFENDANT'S ATTORNEY TO WITHDRAW,  
AND SETTING DEFAULT-JUDGMENT PROCEDURES**

On December 31, 2019, just 16 days before the scheduled trial, the defendant Praxis Energy Agents DMCC's attorney J. Stephen Simms moved to withdraw. The verified motion set out, and Mr. Simms later confirmed in a hearing conducted on the record by telephone, the facts in this order.

Praxis has closed its office and all active operations—it is out of business. Praxis has discharged its manager and will not replace him. Praxis is unable to pay Mr. Simms or any other attorney to defend this action. Praxis has approved Mr. Simms's withdrawal and will not instruct substitute counsel or otherwise participate in the litigation.

Praxis, like any corporate entity, cannot participate in litigation pro se; it must appear only through an attorney. Mr. Simms has shown good cause to withdraw. Upon an attorney's withdrawal from representing such an entity, an order ordinarily would be entered setting a deadline for the entity to cause a new attorney to appear. Failure to cause an attorney to appear by the deadline would lead to entry of a default. In the telephone hearing, Mr. Simms confirmed that setting such a deadline would serve no purpose—Praxis would miss it. Both Praxis (through Mr. Simms) and the plaintiffs agreed that a default should be entered without further delay. Both sides also agreed that a default judgment should be entered based on the written record without an in-person hearing or presentation of live testimony. This order confirms the ruling announced at the hearing based on the parties' agreement and the entire record.

IT IS ORDERED:

1. Mr. Simms's motion for leave to withdraw, ECF No. 107, is granted.
2. A default is entered against the defendant Praxis Energy Agents DMCC.
3. A default judgment will be entered based on the record as it exists as of January 16, 2020. A party may file additional material on or before that date.

SO ORDERED on January 9, 2020.

s/Robert L. Hinkle  
United States District Judge